

THE NOXIOUS NEWS

SHORT LEGISLATIVE SESSION

BEGINS WITH RAPID PACE

By Steve McGonigal

A session of the Washington State Legislature slated to last only 60 days began January 12, with several hearings, bills and reports with the potential to impact noxious weed control appearing right from the first week of the session.

LIMITED AND RANCHER APPLICATORS – House Bill 2300 and Senate Bill 6108 would make these “pilot” pesticide license programs permanent, and would expand them from four counties to all of Eastern Washington. A detailed article on the proposals appears on page 4 of this edition. The Washington State Noxious Weed Control Board heard a report on these bills at its September meeting, and unanimously voted to support the legislation.

At a hearing before the House Agriculture and Natural Resources Committee on January 13, Okanogan County Weed Coordinator Sheilah Kennedy and I both testified in favor of HB 2300. Two days later, in front of the Senate Agriculture Committee, Sheilah and I also supported SB 6108. At that hearing, questions arose about whether the use of these specialized pesticide applicator licenses might sometimes be needed to perform noxious weed control mandated by a weed district or inter-county weed district. In response to information supplied to senators at that hearing, SB 6108 was amended to include references to RCW 17.04 and 17.06, in addition to the original reference to RCW 17.10. At the time the newsletter went to press, both bills had passed out of their committees of origin, and were awaiting attention in the respective rules committees of the House and Senate.

LAKE MANAGEMENT DISTRICTS – Both Senate Bill 6145 and House Bill 2432 propose to exempt lake management districts from the state’s Business and Occupations tax. Lake management districts are sometimes formed by property owners surrounding a lake, for purposes of funding management functions, including plant and noxious weed control. At press time neither bill had been heard at the committee level.

BIODIVERSITY CONSERVATION STRATEGY – The first week of the session also saw the Washington Biodiversity Conservation Committee deliver its strategy report to both the House Fisheries, Ecology and Parks Committee and the Senate Parks, Fish & Wildlife Committee.

Created by the Legislature and Governor Gary Locke in 2002, the Committee received input about the importance of noxious weed control from the staff of the State Weed Board in the summer of 2003. The strategy report delivered to the Legislature says that “Washington should build its biodiversity strategy on science-based assessments and a long-term vision of the state’s conservation needs, both guided by the creation of a new Washington Biodiversity Council.” In listing who should hold seats on that council, the Committee included “representatives of county weed boards.”

CONSTITUTIONAL AMENDMENT – House Joint Resolution 4215, which would need a supermajority of two-thirds in both the House of Representatives and the Senate, would send an amendment to the Washington State Constitution to the voters. If the voters approved by a simple majority, it would allow two or more counties to consolidate or merge any statutory or constitutional function or structure for purposes of efficiency, cost savings and improved service.

Continued on page 2

In testimony before the House Local Government Committee January 26, prime sponsor Representative Helen Sommers mentioned the sheriff and prosecutor functions when asked for examples of functions or structures that might be merged if the resolution eventually amended the constitution. Weed boards were not named in the hearing, although it could be argued that they are “statutory” structures since they are formed under RCW 17.10, which is a “statute.”

Both Washington State Association of Counties and the Washington Association of County Officials testified at the hearing in opposition to the resolution. Some testimony pointed out that neighboring counties enter into “inter-local agreements” now to provide services, including jails and health districts. At press time, the resolution was still in committee.

KNOTWEED CONTROL FUNDING – House Bill 3089, first read on January 27, would appropriate one million dollars in the next fiscal year to the State Noxious Weed Control Board for a grant program for controlling Japanese knotweed, *Polygonum cuspidatum*. The grants would be made to local noxious weed control boards. At press time no hearings had been scheduled on the bill.



WASHINGTON STATE WEED COORDINATORS ASSOCIATION ANNUAL MEETING AND CONFERENCE

By Sonny Gohrman

Ok, all you weed people out there its time for our annual meeting and Weed Coordinators Conference. This year, and back by popular demand, our conference will be held at Campbell’s Resort located on beautiful Lake Chelan. The dates are March 17th and 18th starting at 8:00 AM on Wednesday and concluding at noon on Thursday. The State Weed Board will be meeting on Tuesday the 16th. Registration and Dues are \$50 per attendee. This covers all conference costs including three meals.

We are currently finalizing speakers and will have a full program of interesting and educational speakers. Topics will cover poisonous plants and toxicology, new herbicides, surfactants, educational strategies, a section on Japanese knotweed management, grazing for weeds, updates from the State Weed Board, and other topics too numerous to mention. And, to cap the first day, a winery tour and wine tasting at the Lake Chelan Winery has been arranged.

This is a wonderful opportunity to socialize and get to know other coordinators and others involved in noxious weed control across the state. The officers of the Coordinators are working toward full attendance by County Coordinators and good representation from both county and state weed boards. You don’t have to be part of this group to participate since this conference is open to all, so contact us for more information.

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WEED SEED IN YOUR BIRD FEED?

By Danielle D'Aaria

Reprinted from the Audubon Society newsletter

Have you ever found an unusual plant growing directly beneath your bird feeder? One that you know you didn't plant, and certainly one that is not native to Washington, or even the Pacific Northwest? It couldn't be from your birdseed because the mix you use lists plant species you know you would recognize if they germinated unexpectedly. But, are you sure that your birdseed only contains those species listed on the package?

Several local weed control agencies in Washington and Oregon have received reports of "strange looking" weeds growing under wild bird feeders, including plants commonly known as buffalobur, devil's claw, and velvetleaf. These reports prompted Arnie Grammon of Baker County Weed Control in Oregon to take a closer look at the seeds bird lovers are scattering to the ground.

He looked at several wild birdseed mixes found in local grocery stores. He found that most birdseed mixes contained species that were not listed on the label. In addition, some of the "extra" species were actually on the Oregon and Washington noxious weed lists. The Noxious Weed Lists include non-native plants introduced to Oregon and Washington, that are deemed to be highly destructive, competitive, or difficult to control. These exotic species can reduce crop yields, destroy native plant and animal habitat, damage recreational opportunities, clog waterways, lower land values and poison humans and livestock. Mr. Grammon looked at 14 mixes in 2002 and 13 mixes in 2003, finding seeds of noxious weed species in 11 of those mixes each year.

That is more than just a few stray seeds! Besides germinating in your backyard, these seeds may be spreading via the birds' digestive system, as well as in water runoff and wind. Many of these seeds may end up further away from your bird feeder than you think. These plants may pose a great threat to the native habitats essential to the birds and environment we care about. It is hard to believe that a nice gesture of providing food to wild birds during harsh winter months can contribute to habitat loss. However, if we can be more conscious of what we are filling our feeders with and spreading on the ground, we can still feed the birds while not spreading weeds.

There are no regulations in the states of Washington or Oregon that prevent birdseed mixes containing noxious weed seeds from being distributed. Since most of the labels do not list the weed species, contaminations have long gone unnoticed. Most of the birdseed found in stores comes from the Midwest, where our noxious weeds may not be seen as a concern to the growers. Plus, our global economy facilitates the distribution of seeds and plants to locations all over the world, whether they belong there or not.

What You Can Do

This is not a call for you to stop feeding wild birds. Rather, continue helping out our feathered friends and at the same time be aware of this issue, and raise it with the stores from which you purchase your birdseed. Inform the distributors and retailers that this is an important environmental issue that requires attention. Here is the potential for a new market. Not all of the birdseed samples that Mr. Grammon examined contained noxious weeds, so there are options out there. In addition, consider using only 1 type of seed such as black oil sunflower, or crack corn – seeds that you know you can recognize and that the birds love to eat!

EASTERN WASHINGTON MAY SOON HAVE ANOTHER CONTROL TOOL

By Margaret Tucker

Counties in eastern Washington may soon have another tool in the fight against noxious and other problem weeds. The Washington State Department of Agriculture (WSDA) has found legislative sponsors for an agency request proposal to permanently implement the Limited & Rancher Private Applicator licenses. These two licenses were established and evaluated under a pilot project set in four northeastern Washington counties. The pilot project will expire December 31, 2004 but WSDA is hoping the licenses, and the weed control activities they allow, will continue and be spread throughout all of eastern Washington.

The purpose of the pilot project was to determine if targeted pesticide licensing requirements would encourage participation in WSDA's licensing program and, ultimately, facilitate the control of noxious weeds. At times, gaining control of these invasive weeds requires the use of a restricted use pesticide, such as Tordon (federally restricted) or 2,4-D (state restricted use in greater than one gallon size containers). Those using RUPs must hold a pesticide license or be under the direct supervision of a properly licensed person.

The Limited & Rancher Private Applicator licenses were developed as an alternative to the more broad based Private Applicator license. The Limited is designed for herbicide applications on non-production agricultural land such as pastures, rangeland and areas around farm buildings. The Rancher license is designed for the use of herbicides and rodenticides on non-production agricultural land and on production agricultural land where grain and hay are grown for primarily personal use. Both have reduced fee and recertification requirements from the Private Applicator license, and unlike the annually renewed Private Applicator license, are valid for five years.

The proposed bill and a brief overview are available on the WSDA Web site. Questions can be directed to Margaret Tucker, Branch Manager, Certification & Training, at (360) 902.2015 or mtucker@agr.wa.gov.

UP COMING EVENTS:

2004 State Weed Board Meetings:

March 16, 8:30 a.m. Campbell's Resort 104 West Woodin Chelan, WA	May 18, 8:30 a.m. Civic Center Building 322 N. Commercial Street, 2 nd Floor Bellingham, WA	July 20, 8:30 a.m. Public Service Building, First Floor Auditorium No. 310 Main Colfax, WA
September 21, 8:30 a.m. Fellowship Hall 430 W 3 rd Street Newport, WA	November 16, 8:30 a.m. Regular Meeting and Hearing on 2005 Noxious Weed List Columbia Gorge Interpretive Center 990 SW Road Creek Drive Stevenson, WA 98648	

Coordinators Conference: March 17 and 18th See above article for more details.

The 69th North American Wildlife and Natural Resources Conference

March 16-20, 2004, at Doubletree Hotel Spokane City Center Spokane, Washington

Western Aquatic Plant Management Society annual conference: March 11 and 12th in Bellevue, See the WAPMS (<http://www.wapms.org/registration.html>) website for more information

DO you know of any upcoming events that we can add here and on our web site

Executive Secretary's Corner

Three From Washington State Headed to Weed Awareness Week

Three people working in different capacities in noxious weed control within Washington State will participate in National Invasive Weed Awareness Week in Washington, D.C. February 23 through 27.

In response to a request for proposals from the State Weed Board, Thurston County Weed Coordinator Rick Johnson is participating in the national event for the first time this year, with partial funding from the Board's Special Projects program.

Okanogan County Weed Coordinator Sheilah Kennedy, who has participated in NIWAW for several years, will go again this year. She also serves on the board of directors of the North American Weed Management Association, which helps organize the event. State Weed Board Executive Secretary Steve McGonigal, who participated for the first time in 2003, will take part again this year.



A record-high 110 people from around the county participated in the fourth annual NIWAW in 2003, and that number is expected to continue to grow this year. Participants will meet with officials of several federal government agencies, non-governmental organization and congressional members and their staffs. The goals of the event include educating those in the nation's capitol about the weed control needs and challenges of Washington State, as well as learning about the activities and priorities of agencies and interest groups at the national level.

If any weed coordinators have issues they would like the Washington State group to raise with the federal government, or questions they'd like asked, they're welcome to provide that input to Steve McGonigal at the State Weed Board office now so that they can be made part of the plans for this busy week in the nation's capitol.

Eastside Public Interest Board Seat Now Open

A voting seat on the Washington State Noxious Weed Control Board, representing the public interest in Eastern Washington, is now vacant.

Joan Frazee, botanist/ecologist for the Lake Wenatchee and Leavenworth Ranger Districts of the Okanogan and Wenatchee National Forests, submitted her resignation from the seat on January 22. "My resignation became unavoidable when I discovered that it is a violation of 18 U.S.C. 208 to serve in an official capacity on the board of directors in a non-Federal organization," she wrote in her letter to WSNWCB Chairman Ray Fann.

While no longer a State Weed Board member, Ms. Frazee will continue to serve as a member of the

committee that is developing a statewide weed management plan.

"Joan has been an exception member of the Board," said Mr. Fann. "She has come up with some really good ideas."

Anyone with input about who should serve the public interest in Eastern Washington should contact Steve McGonigal, executive secretary at (360) 902-2053 or smcgonigal@agr.wa.gov. The seat is filled through appointment by the director of the Washington State Department of Agriculture. By law, board members appointed to fill vacancies serve out the existing term. The existing term runs until March 14, 2006.

Weed Coordinator's Handbook To Be Updated

The *Washington State Weed Coordinator's Handbook*, published by the Washington State Noxious Weed Control Board in 1995, will be updated this year.

Bob Leonard, a veteran of noxious weed control within the state, will update the handbook under a contract with the State Weed Board. The project is funded under the WSNWCB's Special Projects program.

Mr. Leonard worked for the Grant County Noxious Weed Control Board for a total of 10 years,

four of those years as coordinator. He has a masters degree in rangeland watershed management and a bachelors degree in botany. He spent 13 years with the U.S. Forest Service as forester and district ranger, and 18 years with the U.S. Bureau of Reclamation as an agronomist.

As part of the contract, Mr. Leonard will attend the Weed Coordinator's Conference in Chelan in March to discuss the handbook update with coordinators in attendance.

State Board Seeks Understanding With Department of Defense

The Washington State Noxious Weed Control Board is seeking a Memorandum of Understanding (MOU) with the Department of Defense concerning the control of noxious weeds on military installations within the state.

Joe DiVittorio, the Navy's applied biology program manager for Washington, Oregon, Montana, Idaho and Alaska, met with the State Board in September on the subject. Following that meeting, the State Board wrote to the western regional office of the U.S. Air Force Center for Environmental Excellence, based in San Francisco.

"The WSNWCB is specifically interested in an MOU that reinforces the principles of Integrated Pest Management for weed control," the Board wrote in the letter, which also stressed the cost effectiveness of a unified weed management approach for Department of Defense lands. "The WSNWCB would be most interested in an MOU with the goal of attaining a level of weed control on DoD lands consistent with the level sought on other properties within the state."

Input or questions about the State Board's discussions with the Department of Defense can be directed to Steve McGonigal at (360) 902-2053 or smcgonigal@agr.wa.gov.

STATE BOARD COMMITTEE Reviewing State Weed Law

The Statute Review Committee of the Washington State Noxious Weed Control Board is reviewing Chapter 17.10 of the Revised Code of Washington, and is asking for input.

The Committee has identified section 17.10.050(1) as one needing amendment. Specifically, the requirement that at least four of the voting members of county weed boards be engaged in the primary production of agricultural products is one that has repeatedly caused multiple county boards difficulty in keeping all of their board seats filled.

After holding its first meeting on January 20, the Committee wrote to all county weed coordinators in the state on January 22, asking what sections of the law they have found problematic. Responses, along with suggested solutions, were requested by February 15.

Input about Chapter 17.10 RCW, and questions about the Statute Review process, can be directed to Steve McGonigal at (360) 902-2053 or smcgonigal@agr.wa.gov.



Judge Issues Ruling In Pesticide Lawsuit

By Steve McGonigal

A judge in Seattle has issued his final ruling in a lawsuit the Washington Toxics Coalition filed against the Environmental Protection Agency.

The staff of the Washington State Noxious Weed Control Board has followed the lawsuit, and repeatedly proposed a noxious weed exemption, because of the judge's well-publicized intention of imposing buffers forbidding the use of certain herbicides along certain bodies of water.

The final order contains such buffers, and an exemption to the buffers for noxious weed control applications. However, the exemption itself has several requirements and restrictions.

Complete information, including a copy of the judge's actual ruling, are available through the website <http://agr.wa.gov> by clicking on "Washington Toxics Coalition et al. V. EPA." For a chart showing where buffers are in place, and which pesticide active ingredients the buffers restrict, click on to "Pesticides subject to buffer zones." County and district weed coordinators without email services can request paper copies of these documents from the State Weed Board office.

The actual language of the noxious weed exemption portion of the judge's ruling is as follows:

"Particular Pesticide Programs Excluded

Based on EPA'S effects determinations, the stipulation of plaintiffs, or the evidence in the record, and notwithstanding Sections III.A and III.B., the Court determines that EPA's authorization of the following Pesticide uses specified below is not vacated:

2. Noxious Weed Programs

Use of the Pesticides for control of state-designated noxious weeds as administered by public entities, when such control program implements the following safeguards that NMFS routinely requires for such programs:

- a. Aerial application cannot occur within 100 yards of Salmon Supporting Water;*
- b. Broadcast spraying cannot occur within 20 yards of Salmon Supporting Waters or when wind speeds are greater than five miles per hour;*
- c. Chemical spraying cannot occur within 15 feet of Salmon Supporting Waters or when wind speeds are greater than five miles per hour;*
- d. Only those Pesticides registered by EPA under the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA") for aquatic application can be used within 15 feet of Salmon Supporting Waters;*
- e. Pesticides cannot be used when precipitation is occurring or is forecast to occur within 24 hours;*
- f. All spraying operations must be overseen by a certified applicator; and*
- g. For 2,4-D and triclopyr, only the amine formulations of 2,4-D and triclopyr can be used."*



IN BRIEF

Class A weed reports Those of you who have not finished your reports will be getting a call from Dana to update our files on locations of the weed infestations. The weed Board feels that it is a top priority to have up to date information on all of the class A weeds in the State.

<http://www.nwcb.wa.gov/classAreport/dataclassAform2004.asp>

PNW Flower and Garden show February 4-8th in Seattle Check out the web for information. If you would still like to volunteer contact Dana.

State Weed Video is finished. Dana will be handing out a copy of the video to all of the coordinators at the coordinators conference. If you are not attending the conference Dana will send you a copy via the mail.

Weed Models are here. The special projects committee appropriated funds for the purchase of one set of the weed models for each of the counties. These will also be handed out at the weed Coordinators conference.

Weeds to Watch:

Grass-leaved Arrowhead, Slender Arrowhead (*Sagittaria graminea* Michx.) has been spotted in Lake Roesiger in Snohomish County and in Mason Lake in Mason County.

How to Identify this plant:

- *Sagittaria graminea* can grow up to two meters above the water level.
- When growing in deeper water, *Sagittaria graminea* only forms submersed leaves.
- The leaves that grow below the water surface are long, thin and strap-like.
- The stems are erect and bear from 2 to 12 whorls of flowers during summer.
- The leaves growing above the surface are large, dark green, and spear-shaped. They have conspicuous radiating veins and are carried on upright spongy stalks. Our native *Sagittaria* spp. have arrow-shaped leaves.
- The flowers are about three cm in diameter with three white petals and a bright yellow center. The flowers have many stamens on hair-covered filaments.
- A fruit composed of numerous beaked seeds, about two cm in diameter is produced. The fruits are arranged in a ball-shaped cluster.
- *Sagittaria graminea* has a short brown and fleshy rootstock from which brown, branching fibrous roots grow. Attached to the rootstock are fleshy rhizomes and tubers.
- Members of this family (Alismataceae) often have similar leaf shapes. The flowers are required for identification to species.



Threats: *Sagittaria graminea* is native to much of eastern North America, however, where it has been introduced outside of its native range, it has become a serious pest plant. It is a declared plant (noxious weed) in **Western Australia** and cannot be imported into the state or kept there. *Sagittaria graminea* blocks irrigation channels and drainage ditches in north central **Victoria** and **New South Wales** (pictured to the right). It has become a nuisance in rice fields in the Murrumbidgee Irrigation Area of New South Wales. *Sagittaria graminea* is a Class B noxious plant in **New Zealand** and the aim is to eradicate the plant from all known sites within five years. It forms extensive infestations in shallow waterways, seriously restricting water flow and increasing sedimentation, thus aggravating flooding.



Above information contributed by Kath Hamel, please contact her for further information.